



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL:

Ken Stripling

DATE: April 27, 2021

SUBJECT: STATE LEGISLATION: SENATE BILL 556

DEPARTMENT: City Manager's Office

PRESENTER: Masis Hagobian

RECOMMENDED ACTION

City Council adopt the City Council Legislative Committee recommendation to oppose Senate Bill 556 (Dodd) and transmit position statements to Senator Dodd, Santa Clarita's state legislative delegation, appropriate legislative committees, Governor Newsom, League of California Cities, and other stakeholder organizations.

BACKGROUND

Authored by Senator Bill Dodd (D-3-Napa), Senate Bill 556 preempts local authority of the public right-of-way by requiring local governments to make space on all publicly owned street light poles, traffic signal poles, and supporting structures for the installation of equipment used by cable television corporations, video service providers, and telephone corporations, regardless of local regulations.

Additionally, Senate Bill 556 creates ambiguity in the fees local governments can charge for access to their infrastructure. Federal law explicitly outlines conditions for valid fees, limiting fees to a "reasonable approximation of the local government's actual and direct costs," including costs to maintain a structure within the right-of-way, process an application or permit, and review a siting application. Senate Bill 556, on the other hand, chooses not to incorporate these federal standards, further restricting fees to "actual costs" and "reasonable actual costs."

The City of Santa Clarita (City) currently regulates the installation and operation of telecommunication and cable equipment within the public right-of-way and in commercial and industrial zones. In establishing a statewide framework for telecommunication and cable equipment deployment, this bill establishes significant limitations on the process, procedure, and ability of local governments in reviewing equipment installations in the public right-of way.

Specifically, the City's Unified Development Code regulates the cell proximity to residential

uses and zones, underground of appurtenant equipment, specified aesthetic criteria, and fees. Ultimately, the City’s regulations intend to preserve the health, safety, and overall quality of life of the community, while ensuring a feasible review and processing of equipment installations in the public right-of-way. If this bill passes, the City will lose its current discretionary review and regulatory authority of the installation of telecommunication and cable equipment.

The recommendation to oppose Senate Bill 556 is consistent with the City of Santa Clarita 2021 Executive and Legislative Platform. Specifically, Component 20 under the “State” section advises that the City Council, “Oppose legislation that limits or eliminates local discretionary review of the installation of small cell wireless equipment or any wireless technology facilities on public infrastructure or in the public right of way.”

Senate Bill 556 passed the Senate Energy, Utilities, and Communications Committee (11-1-2) on April 19, 2021, and was referred to the Senate Governance and Finance Committee. As a member of the Senate Energy, Utilities, and Communications Committee, a vote was not recorded for Senator Henry Stern.

Notable supporters include the Bay Area Council, Crown Castle, Los Angeles County Business Federation (BizFed), and Verizon.

Notable opponents include the League of California Cities, Sacramento County Board of Supervisors, South Bay Cities Council of Government, and 65 cities, including Agoura Hills, Calabasas, Los Angeles, Palmdale, and Thousand Oaks.

The City Council Legislative Committee met on April 8, 2021, and recommends that the City Council adopt an “oppose” position on Senate Bill 556.

ALTERNATIVE ACTION

1. Adopt a “support” position on Senate Bill 556
2. Adopt a “neutral” position on Senate Bill 556
3. Take no action on Senate Bill 556
4. Refer Senate Bill 556 back to the Legislative Committee
5. Other direction, as provided by the City Council

FISCAL IMPACT

The resources required to implement the recommended action are contained within the City of Santa Clarita's adopted FY 2020-21 budget.

ATTACHMENTS

Senate Bill 556 - Bill Text